

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ADAM WALLER,

Plaintiff,

v.

UNKNOWN ROSE,

Defendant.

---

Case No. 1:18-cv-143

HON. JANET T. NEFF

**ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendant filed a motion for summary judgment (ECF No. 7). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on September 26, 2018, recommending that this Court grant the motion and terminate this action. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 11) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 7) is GRANTED.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: October 30, 2018

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge